

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:

Sherman, et al.

Serial No.: 10/806,840

Filed: March 22, 2004

For: Modular CPR Assist
Device

Art Unit: 3764

Examiner: DeMille, Danton D.

DECLARATION OF K. DAVID CROCKETT IN SUPPORT OF PETITION PETITION
TO MAKE AN APPLICATION ON BEHALF OF A NON-SIGNING INVENTOR

I, K. David Crockett, Esq. hereby declare:

1. I am a member of Crockett & Crockett, PC. I represent the assignee of U.S. patent application 10/806,840 before the United States Patent and Trademark Office.

2. Commencing with the initial indication in this case that a new declaration was required by the Patent Office, my staff and I attempted to establish communications with Darren R. Sherman in order to have him sign a new declaration. This included various letters, e-mails and voice messages delivered to confirmed current addresses, e-mail accounts and telephone numbers.

3. During this time period, my staff and I provided Mr. Sherman with a copy of the application (and all pertinent amendments) and a declaration for signature. We provided these

papers by mail, certified mail (which was returned), by FedEx, and by e-mail.

4. On January 18, 2008, I spoke with Mr. Sherman. He called me on his cell phone, from his home in Florida. We discussed the need to execute and submit a new declaration in this case. Mr. Sherman and I are well-acquainted, and have worked together on several patent applications, so it appeared during our telephone conversation that Mr. Sherman was well-informed as to the nature of the declaration. Mr. Sherman stated that he would not sign a declaration for this application, and would not sign any other paper related to any other application of the assignee of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon.

Date: February 20, 2008

By: /K. David Crockett/
K. David Crockett, Esq.
Reg. No. 34311